



October 11, 2023

**Via ECF and E-mail**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**Re: *In re Tether and Bitfinex Crypto Asset Litigation*, 19-CV-09236 (KPF) –  
Letter Motion to File Letter Motion and Exhibits Thereto Under Seal**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Pursuant to Rule 9 of this Court's Individual Rules of Practice in Civil Cases, we write to request permission to file Plaintiffs' October 11, 2023 Letter Motion to the Court ("Plaintiffs' Letter Motion") and the exhibits thereto under seal.

Plaintiffs' Letter Motion and the exhibits thereto contain information that has been designated as Confidential or Attorneys' Eyes Only by Defendants pursuant to this Court's Protective Order. ECF No. 151, at ¶ 3. Plaintiffs do not object to the characterization of these exhibits and related information as Confidential or Attorneys' Eyes Only for the limited purposes of this filing.

Accordingly, Plaintiffs respectfully request leave to file Plaintiffs' Letter Motion, and the exhibits thereto under seal, to avoid any improper disclosure of information Defendants have designated as Confidential or Attorneys' Eyes Only. *See* ECF No. 151, at ¶ 4.b.

Hon. Katherine Polk Failla  
October 11, 2023

Respectfully submitted,

/s/ Andrew R. Dunlap

Andrew R. Dunlap

Oscar Shine

SELENDY GAY ELSBERG PLLC

1290 Sixth Avenue

New York, NY 10104

adunlap@selendygay.com

oshine@selendygay.com

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)

Matthew S. Weiler (*pro hac vice*)

Mahzad K. Hite (*pro hac vice*)

SCHNEIDER WALLACE COTTRELL

KONECKY LLP

2000 Powell Street, Suite 1400

Emeryville, CA 94608

tschneider@schneiderwallace.com

mweiler@schneiderwallace.com

mhite@schneiderwallace.com

*Interim Lead Counsel and Attorneys for  
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)